

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Claims 11-16 have been amended. Claims 1-10 have been canceled. Contrary to the statement in the Final Rejection, claims 17-26 stand withdrawn. Claims 11-16, have been amended to clarify the claimed subject matter. Support for the amendments to claims 11-16 is provided by *inter alia* Figs. 3, 14, and 29 and their accompanying descriptions in the specification. Support for claims 17-26 is provided by *inter alia* Figs. 5-10 and specification pages 20-36.

The Final Rejection rejects claims 1-16 under 35 USC 103 based on Foldare et al. and Ratayczak. To the extent these rejections are deemed applicable to amended claims 11-16, the Applicants respectfully traverse.

To reiterate, Foldare discloses a system and method for allowing a parent to control the use of an ancillary credit or debit card issued to a child. The card issuer has a computer with a database containing account information and spending limits for the card. When the child presents the card, the merchant contacts a central computer for card authorization. The central computer then contacts the issuer computer, and the issuer computer checks the database. If the credit limit has

been exceeded, the issuer's computer sends a method of contacting the parent to the central computer, and the central computer contacts the parent via, e.g., a two way pager or cellular telephone to query the parent whether to authorize the transaction, by increasing the spending limit of the ancillary cardholder, or refuse it. The parent responds to the central computer, and the central computer forwards an approval/refusal to the merchant.

Also by way of reiteration, Ratayczak teaches identification of a user or users using two individual connections between first and second communications devices C1 and C2 and an access determining device A (col. 1, lines 49-55), in order to transmit identification information of the user(s) (col. 3, line 11; col. 5, lines 34-35; and col. 6, lines 61-62) and plural code words to the determining device A for checking. In Ratayczak, one or both of C1 and C2 receive access to system S (col. 3, lines 41-43). In the Fig. 2 embodiment of Ratayczak, there is no description of selection of C2 to send the second codeword to device A based on any identification information of the user. In the Fig. 4 embodiment of Ratayczak, another codeword is sent from device A to C1 (col. 5, lines 42-43) and then from C1 to C2 (col. 5, lines 54-56), and then from C2 to access device A (col. 5, lines 60-62) to enable one or both of C1 and C2 to gain access to System S.

Turning now to the assertions in the Final Rejection, the Applicants note, at the outset, that in Section 5, the Final Rejection incorrectly alleges that, in the Amendment filed June 30, 2004, (1) "Applicant argued that Foladare does not teach mobile terminal" and (2) Applicant argued that "there is no teaching of the use of a password." Both of these allegations incorrectly characterize Applicants' statements in the Amendment, and show a lack of comprehension of Applicants' arguments submitted June 30, 2004.

Rebutting the first point, the Applicants note that the paragraph bridging pages 15 and 16 of the Amendment states that, in Foladare, "If the credit limit has been exceeded, the issuer's computer sends a method of contacting the parent to the central computer, and the central computer contacts the parent via, e.g., a two way pager or cellular telephone to query the parent whether to authorize the transaction." (emphasis added).

Rebutting the second point, the Applicants note that (a) in the second to last paragraph of page 17, the Amendment recognized that Ratacyck uses passwords, but stated that one skilled in the art would not be motivated to look to Ratacyck for a modification of Foladare to use passwords because Foladare and Ratacyck are very different types of systems and (b) in the first paragraph on page 18, the Amendment stated that the

examiner's assertions regarding Ratayczak were in error because "Ratayczak lacks a teaching of second identification information of the user associated with the second password and because Ratayczak does not call for connection to the mobile terminal of the user by using the second identifier of the user (mobile terminal number) and for the second password of the user to be sent by the connected mobile communication terminal."

Clearly, the statements in the Final Rejection misconstrue the Applicants' arguments.

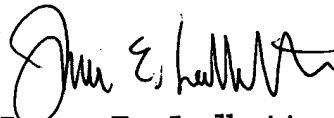
In contrast to Ratayczak, amended claims 11-16 call for the use of a mobile communication terminal number (corresponding to a second identifier of a user) and a second password associated with a first identifier of the user. Further, the Applicants note that the applied references, in combination, fail to teach or suggest the subject matter of amended claims 11 and 16 of first identifying the user by comparing a first password to a password supplied by the user, supplying a second identifier of the user, then connecting to a terminal of the member through a communication line by using the second identifier, receiving another password from the member and then authenticating the user via a match between the another password supplied by the member and the second password.

In view of the above, it is submitted that the applied references, alone or together, fail to disclose or suggest the above-noted claimed subject matter.

Accordingly, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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